



#400274

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
)
Oscar D. Sandlin et al.)
)
Serial No. 10/656,553)
)
Filed September 6, 2003)
)
LONG-LASTING SCENTED PAINT AND)
METHOD FOR MAKING SAME)

DECLARATION OF Oscar D. Sandlin

Submitted as a Declaration under 37 C.F.R. 1.131

1. I herewith state my name is Oscar D. Sandlin, one of the named inventors in US Patent Application Serial Number 10/656,553 and a professional painter.
2. After repeated efforts, The Grande Reserve at Geist was unable to rid a rental unit of cigarette smoke smell existing on the walls of the unit.
3. Prior to April 2001, I was experimenting. along with Bill Oltman with developing a scented paint. In April 2001, we developed a paint by combining paint ingredients with a powder resulting in a paint with a potpourri scent.
4. The method used in April 2001 of making a long-lasting scented finish paint as claimed in claim 9 of the subject patent application included the steps of: selecting a paint; selecting a suitable solvent; selecting a scenting agent of characteristics such that it would provide continued scent and odor after the paint was applied to a selected surface and allowed to dry, and, mixing or agitating the paint, solvent and scenting agent until thorough dispersion of all ingredients take place. The resultant combination once allowed to dry on the wall provided a lasting scented paint finish.


5. I have been particularly cautious in maintaining the confidentiality of my experiments with Bill Oltman in developing a scented paint. Thus, I was particularly careful in not creating any type of paper or documentation detailing my experimentation with Bill Oltman in developing a scented paint. I was concerned that our invention of the scented paint to be disclosed in the subject patent application could be taken without our permission and thus in April 2001, when I developed with Bill Oltman a paint by combining a paint ingredients with a powder resulting in a paint with potpourri scent, I did not document nor maintain any records of either the steps or the results incurred during the development. Further, the existence of the scented paint we developed as well as any details associated therewith was only revealed to people that would readily notice the paint when used to paint a wall.

6. My occupation throughout the year 2001 was as a manufacturing supervisor in an industry other than the paint industry and not as any type of an inventor or an experimenter. Thus, I did not maintain any type of laboratory notes or other documentation regarding my experimentation with Bill Oltman and the development in April 2001 of the method and scented paint disclosed in our subject patent application. All details and results of our experimentation were retained strictly by our personal memory.

7. I was not aware during the year 2001 of the desirability of documenting the actual conception date and production of the method and paint disclosed in the subject patent application. As a result, I do not have any type of documents showing the actual conception or reduction to practice of the invention disclosed in our subject patent application.

I, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of any trademark application or any trademark registration issued thereon.

Dated: 12-14-06


Oscar D. Sandlin

11054 U.S. PTO
04/05/01

ATTORNEY DOCKET NO.
020195.0125



PATENT APPLICATION

A/PROV

JCT14 U.S. PTO
60/282307
04/05/01

PROVISIONAL APPLICATION FOR PATENT UNDER 37 C.F.R. § 1.53(c)
TRANSMITTAL FORM

Box Provisional Patent Application
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the provisional
application for patent of:

Inventor (Name and Residence) or Application Identifier:

Whitney A. Walker, 140 Glass Street
Dallas, Dallas County, Texas, 75207

Entitled: NON-TOXIC PAINT

Enclosed are:

☒ Specification (16 Total Pages)
☐ Drawing(s) (Total Sheet(s) of Formal Informal)
☒ Certificate of Mailing
☐ Other

☐ The invention was made by an agency of the United States
Government or under a contract with an agency of the United
States Government.

U.S. Gov't Agency Gov't Contract No. .

☒ Enclosed is a check in the amount of \$75.00 to satisfy
filing fee requirements under 37 C.F.R. § 1.16. Please charge
any additional fees or credit any overpayment to Deposit
Account No. 02-0384 of BAKER BOTTS L.L.P. A duplicate copy of
this sheet is enclosed.

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Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicant

Robert M. Chiaviello, Jr.

Robert M. Chiaviello
Reg. No. 32,461
April 5, 2001

PATENT APPLICATION OF:

PATENT APPLICATION

NON-TOXIC PAINT

ABSTRACT OF THE DISCLOSURE

A non-toxic paint is disclosed comprised of milk protein or casein. The paint has preservatives added in quantities sufficient to extend the shelf life of the paint. Additionally, thickeners can be added to improve the paintability of the paint. Also the pigments can be finely ground and emulsified to improve the suspension of the pigments in the paint. Finally, the pH of the milk-based paint can be lowered by using, for instance, ammonia to improve the quality of the paint.

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and

adding a preservative to the liquid sufficient to extend the shelf life of the paint.

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NON-TOXIC PAINT

TECHNICAL FIELD OF THE INVENTION

This invention relates generally to the field of paints and more specifically to a non-toxic paint as either a powder or liquid, and a method for its manufacture.

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BACKGROUND OF THE INVENTION

As society grows more complex and technological, a greater reliance is placed on the use of man made chemical compounds. Some people who are exposed to these chemical compounds have adverse reactions. These people require non-toxic substitutes. Another problem with many toxic chemical compounds concerns safe disposal. One modern chemical substance that some people find toxic and poses a substantial disposal problem is paint.

One form of non-toxic paint is referred to as milk paint and is of ancient origins. Milk paint comprises milk or casein mixed together with pigments such as earth oxides in water to form a liquid paint suitable for use in a variety of applications.

A problem with milk based paints, however, is that after mixing with water they have a short shelf life. Typically, three days or less. Once the milk begins to sour, the quality of the paint deteriorates and it is no longer of use. Alternatives, such as refrigeration, are unsatisfactory. This short shelf-life requires that most milk-based paints be distributed to the ultimate user as powders. Powders require the user to add water and mix the paint sufficiently so the pigments are properly suspended in the paint. Achieving sufficient mixing has been difficult.

Therefore a need has arisen for a non-toxic liquid paint that has longer shelf life and improved pigment suspension.

SUMMARY OF THE INVENTION

In accordance with the present invention, a non-toxic paint and a method for its manufacture are provided that substantially eliminates or reduces disadvantages and problems associated with previously developed non-toxic paints and their manufacturing methods.

A non-toxic paint comprises milk powder, pigment, and a preservative. A non-toxic paint comprises milk, water, and thickeners sufficient to increase the viscosity of the paint. A non-toxic paint comprises milk with an added base material, such as ammonia, to lower the pH. A method of manufacturing a milk-based paint comprises grinding the pigments to a fine powder and mixing the pigments and milk to form a non-toxic paint. A method of manufacturing a milk-based paint comprises mixing the pigments to form an enhanced suspension of the pigments. Each of the foregoing may be manufactured using casein or powdered milk protein mixed with water.

ATTORNEY DOCKET NO.
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PATENT APPLICATION

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BRIEF DESCRIPTION OF THE DRAWINGS

2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402	2403	2404	2405	2406	2407	2408</
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DETAILED DESCRIPTION OF THE INVENTION

[illegible]